

DEC 15 2004

VIA FACSIMILE to FAX NOS. 703-872-9306 and 571-273-1657

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Blais et al.	Confirmation No.:	6425
Serial No.:	10/798,737	Art Unit:	2811
Filed:	March 10, 2004	Examiner:	Steven Ho Yin Loke
For:	RESONANT CONTROLLED QUBIT SYSTEM	Attorney Docket No.:	706700-999185

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Robert D. Wiens, represents that he holds the position of Chief Financial Officer of D-Wave Systems, Inc., the assignee of the entire 100% right, title and interest in and to the above identified application by virtue of an assignment which was recorded for parent application No. 10/419,024 (attorney docket number 01190-012-999) on March 16, 2004 at reel 014434 frame 0724.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of any patent granted on co-pending U.S. Patent Application No. 10/801,340 filed on March 15, 2004 for which a Notice of Allowance was mailed on October 13, 2004. The entire right, title, and interest in and to U.S. Patent Application No. 10/801,340 is also assigned to D-Wave Systems, Inc. by virtue of the same assignment which was recorded for common parent application No. 10/419,024. Petitioner hereby agrees that any patent so granted on U.S. Patent Application No. 10/798,737 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on U.S. Patent Application No. 10/801,340.

Petitioner further agrees that this agreement is to run with any patent granted on U.S. Patent Application No. 10/798,737 and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application No. 10/798,737 prior to the expiration date of the full statutory term of any and all patents granted on U.S. Patent No. 10/801,340 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the

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Steven Loke  
12/23/04

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